

Town of Cheswold
Planning Commission Meeting Minutes
August 9, 2018
Cheswold Town Hall
691 in Street

Chairperson Barry Jones called the meeting to order at 6:09 pm, with a Pledge to the Flag, followed by an observation of a Moment of Silence.

He then confirmed that the meeting had been properly posted on January 25, 2018 and the Agenda properly posted on August 2, 2018, and subsequently revised on August 2, 2018 to add a Land Use Annexation Application 2018-08-01-069.

The Roll Call of the Commissioners to ensure a quorum was conducted:

Present

Barry Jones
Carl Schultz
Reg Valentine

Excused

Colleen Ostafy

Absent

Others in Attendance:

Land Use Administrator Sam Callender
Mr. Robert Coleman – Eastern Shore Property Management
Mr. Nick – Eastern Shore Property Management

Review of Agenda; Motion to Accept as Presented or Amended

Chairperson Jones requested that the agenda be reviewed for acceptance or amendment and Land Use Administrator Callender requested a Commissioner to make a motion to add late Sign Application request for review to New Business. The motion to do so was made by Commissioner Valentine and a second was made by Commissioner Schultz. A roll call passed the motion.

A motion was then made by Commissioner Valentine to accept the agenda as revised and with a second from Commissioner Schultz and a unanimous roll call vote, the motion passed.

Review of Previous Meeting Minutes; Motion to Approve as Presented or as Amended

As the keeper of minutes, Commissioner Ostafy, was excused, Commissioner Schultz made a motion to table the review of the previous months minutes and Commissioner Valentine provided a second. The motion passed with a unanimous roll call vote.:

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NEW BUSINESS:

Land Use Administrator's Report

Mrs. Callender informed the Commissioners of the following Applications to be reviewed:

- **Preliminary Plan Review – 90 School Lane Appl. 2018-08-06-070**
Mr. Coleman presented his plan for a minor sub-division on School Lane. This project had been previously reviewed and accepted as a Concept Plan and Mr. Coleman was instructed to follow the suggestions of the Town Engineer in submitting the Preliminary Plan. He was also directed by Ms. Callender, to use the Preliminary Plan Requirements document to complete this plan for accuracy and feasibility of traversing the Preliminary Plan process. At this meeting, there continued to be missing elements from the plan, so Mr. Coleman's request for an additional Planning Commission meeting was denied and he was encouraged to meet the requirements as specified by the Land Use Ordinance and provided to him, and to use the response from the Town Engineer in his completion process.
- **Annexation Application – 5867 N. Dupont Hwy Appl. 2018-08-01-069**
This application to annex was submitted by the property owner and as such the Town has 90 days to either accept or reject the application, beginning with the Planning Commission recommending the Zoning Code assignment and a memo to the Council to accept or reject. The Commissioners engaged in a detailed review of the property location, and the surrounding property conditions and the dictates of the 2010 Comprehensive Plan. Although this property is shown as an unlikely property for annexation, it sits well within our 5 year growth plan map. The concern expressed by the Commissioners is its adjacent location to a property that contains groundwater issues and the possible liability that may befall the Town if annexed.

Therefore, a motion was made by Commissioner Schultz to recommend acceptance of the Annexation Application for 5867 N. Dupont Highway, to be zoned as R-2, Map ID 4-00-03704-01-3200-00001, contingent upon advice from the Town Attorney as to the possible Town liability for the groundwater issues of the adjacent property should those issues affect the proposed annexed property. Commissioner Valentine made a second to the motion. A unanimous roll call vote passed the motion

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- **Sign Application – Dominoes McGinnis Green** **Appl. # to be Assigned**
Mrs. Callender submitted an unassigned Sign Application from Dominoes Pizza. Located at McGinnis Green, requesting permission to pass a 4-1/2' x 20' wall sign. The size exceeds the current maximum limits of 32 sq. feet. Therefore, typically a variance would be required. As the Sign Ordinance is undergoing a major revision, Ms. Callender requested the Commissioners to review the application and in fairness and service to the applicant decide the maximum square footage to be permitted in the revised Sign Ordinance, which will determine if this applicant will have to obtain a Variance in the new environment. At a pre-scheduled meeting, to be held on Monday evening, August 13, 2018, the Commissioners agreed to make a final decision on maximum sign sizes per type and location.

OLD BUSINESS:

- **Pre-Plus Review 2020 Comp Plan**
Ms. Callender informed the Commissioners that she contacted the University of Delaware IPA to serve as mentors for the development of our 2020 Comp Plan and they agreed to assist us for a fee. Their assistance would include the following:

***Option 1:** A town largely committed to writing its own plan may contract with IPA for an updated map series and most of the data-heavy tables typically found in the plan for something in the neighborhood of \$4,000 - \$5,000*

***Option 2:** For about twice that amount, we're able to also:*

- 1) edit and professionally lay out your final document,*
- 2) provide a "Planning 101" training to your planning commission,*
- 3) attend and assist in facilitating three or four plan development meetings.*
- 4) Typically, we're asked to assist with future land use and annexation and assist in writing that chapter or section.*

In both of the above options, the town is responsible for "writing the plan,"; determining its goals and vision; and going through the PLUS process.

Ms. Callender stated that she provided these Options to the Town Council and requested a vote to approve hiring the University of Delaware to assist the Commissioners, however, a Council member suggested that another cost estimate be obtained from a firm with whom they are familiar. Council agreed to wait to make a decision until the other estimate is obtained.

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- **Questionnaire 2020 Comp Plan**

Commissioners confirmed to meet on Monday, August 13, 2018 at 6:00 pm., in the Nobles Pond Clubhouse to discuss and attempt to finalize the Community Questionnaire for the 2020 Comp Plan

- **Sign Table Review**

It was agreed that the first item of business at the meeting mentioned above will be the completion of setback limits and associated maximum sign size by location and type for the revised Sign Ordinance. Doing so, will complete the revision and it can be prepared for review and approval by the Town Council.

Commissioners Comments

Acting Chairperson Barry Jones – *Nothing to Report*

Commissioner Carl Schultz – *Nothing to Report*

Commissioner Reg Valentine – *Nothing to Report*

- **Motion to Adjourn**

Commissioner Schultz made a motion to adjourn at _____ pm; Commissioner Valentine provided thesecond. The votes to approve the motion was unanimous by the Commissioners in attendance.

Respectfully submitted,
Theon E. Callender
Land Use Administrator